

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (2/98)
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|--|--|---|
| UTILITY PATENT APPLICATION TRANSMITTAL <i>(Fee for new nonprovisional applications under 37 CFR 1.53(b))</i> | Attorney Docket No. | 38-21(15749)B |
| | First Named Inventor or Application Identifier | FISHER |
| | Title | Nucleic Acid Sequences from <i>Cyanidium caldarium</i> and Uses Thereof |
| | Express Mail Label No. | |

| | |
|---|--|
| APPLICATION ELEMENTS <i>MPEP chapter 600 concerning utility patent application contents</i> | ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231 |
|---|--|

1. ☒ *Fee Transmittal Form (Form PTO-1082)
(Submit an original and a duplicate for fee processing)

2. ☒ Specification [Total Pages 113]
(preferred arrangement set forth below)

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claims
- Abstract of the Disclosure

☐ Drawing(s) (35 USC 113) [Total Sheets]

Oath or Declaration [Total Pages 6]

a. ☒ Newly executed (original or copy)

b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]

i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

5. ☐ Incorporation By Reference *(useable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program *(Appendix)*

7. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*

a. ☒ Computer Readable Copy

b. ☒ Paper Copy (identical to computer copy)

c. ☒ Statement verifying identity of above copies

| ACCOMPANYING APPLICATION PARTS | |
|---|--|
| 8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) | |
| 9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> | |
| 10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> | |
| 11. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 | <input checked="" type="checkbox"/> Copies of IDS Citations |
| 12. <input type="checkbox"/> Preliminary Amendment | |
| 13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Two) <i>(should be specifically itemized)</i> | |
| 14. <input type="checkbox"/> *Small Entity Statement(s) | <input type="checkbox"/> Statement filed in prior application, Status still proper and desired |
| 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> | |
| 16. <input type="checkbox"/> Other: | |

*NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: /

Prior Application Information: Examiner: Group/Art Unit:

| 18. CORRESPONDENCE ADDRESS | | | | | |
|--|--|-----------|-----------------------------------|---------------|----------------|
| <input type="checkbox"/> Customer Number or Bar Code Label or <input checked="" type="checkbox"/> Correspondence address below <i>(Insert Customer No. or Attach bar code label here)</i> | | | | | |
| NAME | Lawrence M. Lavin, Jr., Esq. Monsanto/GD Searle | | | | |
| ADDRESS | Patent Department Central PO Box 5110 | | | | |
| CITY | Chicago | STATE | Illinois | ZIP CODE | 60680-5110 |
| COUNTRY | US | TELEPHONE | (314) 694-3602 | FAX | (314) 694-1671 |
| Name (Print/Type) | Lawrence M. Lavin, Jr. | | Registration No. (Attorney/Agent) | 30,768 | |
| Signature | <i>Lawrence M. Lavin, Jr.</i> | | Date | April 3, 2000 | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Wyd R. Moe 41, 408

April 3, 2000

Box Patent Application

Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Non-Provisional Utility Patent Application
Application No.: To Be Assigned
Filed: Herewith
For: **Nucleic Acid Sequences from *Cyanidium caldarium* and Uses Thereof**
Inventors: Dane K. FISHER *et al.*
Atty. Docket: 38-21(15749)B

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Utility Patent Application Transmittal (PTO/SB/05);
2. Form PTO-1082 (in duplicate);
3. U.S. Utility Patent Application entitled:

Nucleic Acid Sequences from *Cyanidium caldarium* and Uses Thereof

and naming as inventors:

Dane K. FISHER and Raghunath V. LALGUDI,

the application consisting of:

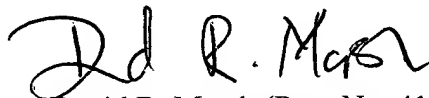
- a. A specification containing:
 - (i) 111 pages of a description prior to the claims;
 - (ii) 1 pages of claims (7 claims);
 - (iii) a one (1) page abstract; and
 - (iv) 2,451 pages of a sequence listing;

4. Statement Regarding Sequence Submission;
5. A CD-ROM containing the sequence listing;
6. Original Declaration and Power of Attorney, executed by inventor Dane K. Fisher (3 pages);
7. Original Declaration and Power of Attorney, executed by inventor Raghunath V. Lalgudi (3 pages);
8. An Information Disclosure Statement;
9. Form PTO-1449 (1 page), with 8 accompanying documents; and
10. Two (2) return postcards.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the sequence listing and the computer readable copy of the sequence listing submitted herewith in the above application are the same.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)

Enclosures

MONSANTO/GD SEARLE
Patent Department Central
P.O. Box 5110
Chicago, Illinois 60680-5110
(314) 694-3602

Attorney Docket No. 38-21(15749)B

ASSISTANT COMMISSIONER FOR PATENTS
 Washington, DC 20231

Sir:

Transmitted herewith for filing is the patent application of

Inventors: Dane K. FISHER et al.For: Nucleic Acid Sequences from *Cyanidium caldarium* and Uses Thereof

Enclosed are:

- ☐ _____ sheets of informal drawings.
☐ An assignment of the invention to _____
☐ Form PTO-1595.
☐ A certified copy of a _____ application.
☐ A verified statement to establish small entity status under 37 C.F.R. § 1.9 and 37 C.F.R. § 1.27.
☒ Executed Combined Declaration and Power of Attorney for Patent Application (6 total pages).

The filing fee has been calculated as shown below:

| | (Col. 1) | (Col. 2) |
|---|-----------|-----------|
| FOR | NO. FILED | NO. EXTRA |
| BASIC FEE | | |
| TOTAL CLAIMS | 7 - 20 = | * 0 |
| INDEP. CLAIMS | 3 - 3 = | * 0 |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED | | |

*If the difference in Col. 1 is less than zero, enter "0" in Col. 2

| SMALL ENTITY | |
|--------------|--------|
| RATE | FEE |
| | 345.00 |
| x 9 = | |
| x 39 = | |
| + 130 = | |
| TOTAL | \$ |

| OTHER THAN A SMALL ENTITY | |
|---------------------------|-----------|
| RATE | FEE |
| | 690.00 |
| x 18 = | 0.00 |
| x 78 = | 0.00 |
| + 260 = | |
| TOTAL | \$ 690.00 |

☒ Please charge my Deposit Account No. 13-4125 in the amount of \$690.00. A duplicate copy of this sheet is attached.

☐ Check No. _____ in the amount of \$ _____ to cover the filing fee is enclosed.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-4125 referencing docket number 38-21(15746)B.
 A duplicate copy of this sheet is attached.

☒ Any additional filing fees required under 37 C.F.R. § 1.16.

☒ Any patent application processing fees under 37 C.F.R. § 1.17.

☐ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 13-4125 referencing docket number _____.
 A duplicate copy of this sheet is attached.

☐ Any patent application processing fees under 37 C.F.R. § 1.17.

☐ The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b).

☐ Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

Date: April 3, 2000

Lawrence M. Lavin Jr.
 Lawrence M. Lavin, Jr. (Reg. No. 30,768)

by R. Mafl 41, 408